

Conference Engrossed

State of Arizona
House of Representatives
Forty-fifth Legislature
First Regular Session
2001

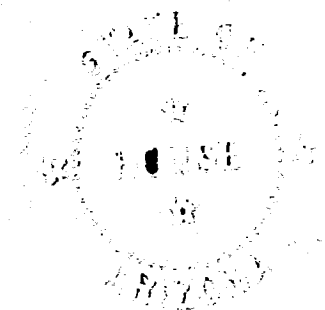
CHAPTER 337

HOUSE BILL 2370

AN ACT

AMENDING TITLE 28, CHAPTER 3, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 28-652 AND 28-653; AMENDING TITLE 28, CHAPTER 3, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-674; AMENDING TITLE 28, CHAPTER 3, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-710; AMENDING SECTIONS 28-737, 28-6991 AND 28-6993, ARIZONA REVISED STATUTES; RELATING TO TRANSPORTATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 28, chapter 3, article 3, Arizona Revised Statutes,
3 is amended by adding sections 28-652 and 28-653, to read:

4 28-652. State highway work zones; definition

5 A. THE DIRECTOR SHALL ADOPT STANDARDS AND SPECIFICATIONS FOR THE USE
6 OF TRAFFIC CONTROL DEVICES IN STATE HIGHWAY WORK ZONES.

7 B. THE STANDARDS AND SPECIFICATIONS ADOPTED PURSUANT TO SUBSECTION A
8 SHALL INCLUDE THE FOLLOWING:

9 1. THE USE OF TRAFFIC CONTROL DEVICES THAT INDICATE THAT THE DRIVER
10 IS APPROACHING A STATE HIGHWAY WORK ZONE AND THAT ARE REQUIRED TO BE POSTED
11 AT LEAST ONE THOUSAND FEET BEFORE ENTERING A STATE HIGHWAY WORK ZONE.

12 2. THE USE OF TRAFFIC CONTROL DEVICES WHEN WORKERS ARE PRESENT IN A
13 STATE HIGHWAY WORK ZONE THAT INDICATE THAT DOUBLE CIVIL PENALTIES WILL BE
14 IMPOSED FOR EXCEEDING THE SPEED LIMIT IN A STATE HIGHWAY WORK ZONE WHEN
15 WORKERS ARE PRESENT AND THAT ARE REQUIRED TO BE POSTED AT LEAST EVERY
16 TWENTY-FIVE HUNDRED FEET WITHIN A STATE HIGHWAY WORK ZONE.

17 3. THE USE OF TRAFFIC CONTROL DEVICES THAT INDICATE THE BEGINNING AND
18 END OF A STATE HIGHWAY WORK ZONE.

19 4. A REQUIREMENT THAT THE TRAFFIC CONTROL DEVICES BE REMOVED WHEN THE
20 PRELIMINARY ENGINEERING WORK OR CONSTRUCTION, REPAIR OR MAINTENANCE WORK IS
21 COMPLETED.

22 C. FOR THE PURPOSES OF THIS SECTION, "STATE HIGHWAY WORK ZONE" MEANS
23 AN AREA THAT IS WITHIN A STATE HIGHWAY RIGHT-OF-WAY AND THAT IS SUBJECT TO
24 PRELIMINARY ENGINEERING WORK OR CONSTRUCTION, REPAIR OR MAINTENANCE WORK.

25 28-653. Flagger training and certification; exception

26 A. ANY INDIVIDUAL WHO IS STATIONED IN A STATE HIGHWAY WORK ZONE TO
27 PROVIDE TEMPORARY TRAFFIC CONTROL SHALL HAVE COMPLETED TRAINING AND BE
28 CERTIFIED BY A PROGRAM THAT MEETS THE TRAINING AND CERTIFICATION STANDARDS
29 OF THE NATIONAL SAFETY COUNCIL HIGHWAY FLAGGER TRAINING PROGRAM, THE AMERICAN
30 TRAFFIC SAFETY SERVICES ASSOCIATION FLAGGER PROGRAM OR AN EQUIVALENT PROGRAM
31 THAT MEETS THE SAME OBJECTIVES. AN EQUIVALENT PROGRAM MUST MEET THE UNITED
32 STATES DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION STANDARDS
33 FOR THE CONTROL OF TRAFFIC THROUGH HIGHWAY WORK ZONES AS DEFINED IN THE
34 MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS.

35 B. FLAGGERS SHALL REPEAT TRAINING AND CERTIFICATION REQUIREMENTS AT
36 LEAST ONCE EVERY TWO YEARS.

37 C. THIS SECTION DOES NOT APPLY TO LAW ENFORCEMENT PERSONNEL WHO ARE
38 EMPLOYED BY GOVERNMENTAL ENTITIES.

39 Sec. 2. Title 28, chapter 3, article 4, Arizona Revised Statutes, is
40 amended by adding section 28-674, to read:

41 28-674. Traffic accidents; quick clearance

42 A. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, MOTOR VEHICLES
43 INVOLVED IN TRAFFIC ACCIDENTS AND DRIVERS OF MOTOR VEHICLES INVOLVED IN
44 TRAFFIC ACCIDENTS ARE SUBJECT TO THIS SECTION.

1 B. THIS SECTION APPLIES TO MOTOR VEHICLE TRAFFIC ACCIDENTS THAT OCCUR
2 ON CONTROLLED ACCESS HIGHWAYS AND ANY OTHER HIGHWAYS THAT ARE DIVIDED INTO
3 TWO OR MORE LANES CLEARLY MARKED FOR TRAFFIC IN THIS STATE.

4 C. IF A MOTOR VEHICLE TRAFFIC ACCIDENT OCCURS AND SERIOUS PHYSICAL
5 INJURY AS DEFINED IN SECTION 13-105 OR DEATH IS NOT APPARENT, THE DRIVERS OF
6 THE MOTOR VEHICLES INVOLVED IN THE ACCIDENT, OR ANY OTHER OCCUPANT OF THE
7 MOTOR VEHICLES INVOLVED IN THE ACCIDENT WHO POSSESSES A VALID DRIVER LICENSE,
8 SHALL REMOVE THE MOTOR VEHICLES FROM THE MAIN TRAVELED PORTION OF THE ROADWAY
9 INTO A SAFE REFUGE ON THE SHOULDER, EMERGENCY LANE OR MEDIAN OR TO A PLACE
10 OTHERWISE REMOVED FROM THE ROADWAY IF BOTH OF THE FOLLOWING APPLY:

11 1. THE MOVING OF THE MOTOR VEHICLE CAN BE DONE SAFELY.

12 2. THE MOTOR VEHICLE IS CAPABLE OF BEING NORMALLY AND SAFELY DRIVEN,
13 DOES NOT REQUIRE TOWING AND CAN BE OPERATED UNDER ITS OWN POWER IN ITS
14 CUSTOMARY MANNER WITHOUT FURTHER DAMAGE OR HAZARD TO THE MOTOR VEHICLE, TO
15 TRAFFIC ELEMENTS OR TO THE ROADWAY.

16 D. THE DRIVER OF A MOTOR VEHICLE INVOLVED IN A TRAFFIC ACCIDENT MAY
17 REQUEST ANY PERSON WHO POSSESSES A VALID DRIVER LICENSE TO REMOVE THE MOTOR
18 VEHICLE AS PROVIDED IN THIS SECTION, AND THE PERSON REQUESTED TO REMOVE THE
19 MOTOR VEHICLE MAY COMPLY WITH THE REQUEST.

20 E. THE DRIVER OR ANY OTHER PERSON WHO REMOVES A MOTOR VEHICLE FROM THE
21 MAIN TRAVELED PORTION OF THE ROADWAY AS PROVIDED IN THIS SECTION BEFORE THE
22 ARRIVAL OF A POLICE OFFICER IS NOT LIABLE OR AT FAULT REGARDING THE CAUSE OF
23 THE TRAFFIC ACCIDENT SOLELY BY REASON OF MOVING THE MOTOR VEHICLE PURSUANT
24 TO THIS SECTION.

25 F. THIS SECTION DOES NOT ABROGATE OR AFFECT A DRIVER'S DUTY TO DO
26 EITHER OF THE FOLLOWING:

27 1. FILE ANY WRITTEN REPORT REQUIRED BY A LOCAL LAW ENFORCEMENT AGENCY,
28 EXCEPT THAT COMPLIANCE WITH THIS SECTION DOES NOT ALLOW A DRIVER TO BE
29 PROSECUTED FOR THE DRIVER'S FAILURE TO STOP AND IMMEDIATELY REPORT A TRAFFIC
30 ACCIDENT.

31 2. STOP AND GIVE INFORMATION PURSUANT TO THIS ARTICLE.

32 G. THIS SECTION DOES NOT RELIEVE A POLICE OFFICER OF THE DUTY TO
33 SUBMIT A WRITTEN ACCIDENT REPORT PURSUANT TO THIS ARTICLE.

34 H. IN THE EXERCISE OF THE MANAGEMENT, CONTROL AND MAINTENANCE OF STATE
35 HIGHWAYS, THE DEPARTMENT MAY REQUIRE AND ASSIST IN THE REMOVAL OF THE
36 FOLLOWING FROM THE MAIN TRAVELED PORTION OF THE ROADWAYS IN THE STATE HIGHWAY
37 SYSTEM:

38 1. ALL VEHICLES THAT ARE INCAPACITATED FOR ANY CAUSE OTHER THAN HAVING
39 BEEN INVOLVED IN A MOTOR VEHICLE TRAFFIC ACCIDENT.

40 2. ALL VEHICLES INCAPACITATED AS A RESULT OF BEING INVOLVED IN A MOTOR
41 VEHICLE TRAFFIC ACCIDENT AND DEBRIS CAUSED BY A MOTOR VEHICLE TRAFFIC
42 ACCIDENT IF BOTH OF THE FOLLOWING APPLY:

43 (a) SERIOUS PHYSICAL INJURY AS DEFINED IN SECTION 13-105 OR DEATH IS
44 NOT APPARENT.

1 (b) THE MOVE CAN BE ACCOMPLISHED SAFELY BY THE DRIVERS OF THE MOTOR
2 VEHICLES INVOLVED OR WITH THE ASSISTANCE OF A TOWING OR RECOVERY VEHICLE AND
3 THE MOVE WILL RESULT IN THE IMPROVED SAFETY OR CONVENIENCE OF TRAVEL ON THE
4 HIGHWAY.

5 I. THE DEPARTMENT SHALL NOT REQUIRE OR ASSIST IN THE REMOVAL OF A
6 MOTOR VEHICLE THAT IS INCAPACITATED AS A RESULT OF BEING INVOLVED IN A MOTOR
7 VEHICLE TRAFFIC ACCIDENT IF SERIOUS PHYSICAL INJURY AS DEFINED IN SECTION
8 13-105 OR DEATH IS APPARENT UNTIL A POLICE OFFICER HAS MADE THE NECESSARY
9 MEASUREMENTS AND DIAGRAMS REQUIRED FOR THE INITIAL ACCIDENT INVESTIGATION.

10 Sec. 3. Title 28, chapter 3, article 6, Arizona Revised Statutes, is
11 amended by adding section 28-710, to read:

12 28-710. State highway work zone safety; civil penalty; fund

13 A. IN A STATE HIGHWAY WORK ZONE AS DEFINED IN SECTION 28-652 THAT IS
14 DESIGNATED AS A STATE HIGHWAY WORK ZONE BY TRAFFIC CONTROL DEVICES INDICATING
15 THE BEGINNING AND END OF THE STATE HIGHWAY WORK ZONE AND IN WHICH WORKERS ARE
16 NOT PRESENT, A PERSON SHALL NOT DRIVE A VEHICLE AT A SPEED THAT IS GREATER
17 THAN THE SPEED ALLOWED BY TRAFFIC CONTROL DEVICES.

18 B. IN A STATE HIGHWAY WORK ZONE AS DEFINED IN SECTION 28-652 THAT IS
19 DESIGNATED AS A STATE HIGHWAY WORK ZONE BY TRAFFIC CONTROL DEVICES INDICATING
20 THE BEGINNING AND END OF THE STATE HIGHWAY WORK ZONE AND IN WHICH WORKERS ARE
21 PRESENT, A PERSON SHALL NOT DRIVE A VEHICLE AT A SPEED THAT IS GREATER THAN
22 THE SPEED ALLOWED BY TRAFFIC CONTROL DEVICES. IF A PERSON IS FOUND
23 RESPONSIBLE FOR A CIVIL TRAFFIC VIOLATION UNDER THIS SUBSECTION, THE PERSON
24 IS SUBJECT TO A CIVIL PENALTY EQUAL TO THE AMOUNT OF THE CIVIL PENALTY FOR
25 THE SAME SPEEDING VIOLATION COMMITTED IN A STATE HIGHWAY WORK ZONE IN WHICH
26 WORKERS ARE NOT PRESENT AND SHALL PAY AN ADDITIONAL ASSESSMENT EQUAL TO THE
27 AMOUNT OF THAT CIVIL PENALTY. THE COURT SHALL COLLECT THE ADDITIONAL
28 ASSESSMENT AT THE SAME TIME THE COURT COLLECTS THE CIVIL PENALTY. PARTIAL
29 PAYMENTS OF THE TOTAL AMOUNT DUE PURSUANT TO THIS SUBSECTION SHALL BE DIVIDED
30 ACCORDING TO THE PROPORTION THAT THE CIVIL PENALTY, THE PENALTY ASSESSMENTS
31 LEVIED PURSUANT TO SECTIONS 12-116.01 AND 12-116.02 AND THE ADDITIONAL
32 ASSESSMENT IMPOSED PURSUANT TO THIS SUBSECTION REPRESENT OF THE TOTAL AMOUNT
33 DUE. THE COURT AND THE DEPARTMENT SHALL TREAT FAILURE TO PAY THE ADDITIONAL
34 ASSESSMENT IMPOSED PURSUANT TO THIS SUBSECTION IN THE SAME MANNER AS FAILURE
35 TO PAY A CIVIL PENALTY, INCLUDING TAKING ACTION AGAINST THE PERSON'S DRIVER
36 LICENSE OR PERMIT OR PRIVILEGE TO DRIVE PURSUANT TO SECTIONS 28-1601, 28-3153
37 AND 28-3305.

38 C. A STATE HIGHWAY WORK ZONE SAFETY FUND IS ESTABLISHED CONSISTING OF
39 MONIES DEPOSITED PURSUANT TO SUBSECTION D, PARAGRAPH 1 OF THIS SECTION. THE
40 GOVERNOR'S OFFICE OF HIGHWAY SAFETY SHALL ADMINISTER THE FUND. THE MONIES
41 IN THE FUND ARE CONTINUOUSLY APPROPRIATED. MONIES IN THE FUND SHALL BE USED
42 TO ESTABLISH AND MAINTAIN A PUBLIC EDUCATION CAMPAIGN FOR HIGHWAY WORK ZONE
43 SAFETY.

44 D. IF A PERSON IS FOUND RESPONSIBLE FOR A VIOLATION OF SUBSECTION B
45 OF THIS SECTION IN A JUSTICE COURT OR SUPERIOR COURT, THE COURT SHALL

1 TRANSMIT MONIES RECEIVED TO PAY THE ADDITIONAL ASSESSMENT TO THE COUNTY
2 TREASURER. IF A PERSON IS FOUND RESPONSIBLE FOR A VIOLATION OF SUBSECTION
3 B OF THIS SECTION IN A MUNICIPAL COURT, THE COURT SHALL TRANSMIT THE MONIES
4 RECEIVED TO PAY THE ADDITIONAL ASSESSMENT TO THE CITY
5 TREASURER. NOTWITHSTANDING SECTION 28-1554, THE CITY OR COUNTY TREASURER
6 SHALL TRANSMIT THE MONIES RECEIVED TO PAY THE ADDITIONAL ASSESSMENT TO THE
7 STATE TREASURER. THE STATE TREASURER SHALL DEPOSIT THE MONIES RECEIVED TO
8 PAY THE ADDITIONAL ASSESSMENT AS FOLLOWS:

9 1. FIFTY PER CENT IN THE STATE HIGHWAY WORK ZONE SAFETY FUND
10 ESTABLISHED BY THIS SECTION.

11 2. FIFTY PER CENT IN THE STATE HIGHWAY FUND ESTABLISHED BY SECTION
12 28-6991.

13 Sec. 4. Section 28-737, Arizona Revised Statutes, is amended to read:

14 28-737. High occupancy vehicle lanes; civil penalty

15 A. Except as provided in section 28-2416 AND SUBSECTION B OF THIS
16 SECTION, a person shall not drive a vehicle carrying fewer than two persons,
17 including the driver, in a high occupancy vehicle lane at any time the use
18 of the high occupancy vehicle lane is restricted to vehicles carrying two or
19 more persons, including the driver.

20 B. DURING THE PERFORMANCE OF A TOW TRUCK OPERATOR'S DUTIES, A TOW
21 TRUCK OPERATOR MAY DRIVE A TOW TRUCK IN A HIGH OCCUPANCY VEHICLE LANE,
22 REGARDLESS OF OCCUPANCY LEVEL, WITHOUT PENALTY.

23 ~~B. C. A person who violates subsection A of this section is subject~~
24 ~~to a civil penalty of three hundred fifty TWO HUNDRED dollars.~~

25 ~~C. The law enforcement alternative fuel vehicle fund is established.~~
26 ~~The director of the department of public safety shall administer the fund.~~
27 ~~Subject to legislative appropriation, the department of public safety shall~~
28 ~~use monies in the fund to pay the incremental cost as defined in section~~
29 ~~43-1086 associated with the purchase of law enforcement alternative fuel~~
30 ~~vehicles. Monies in the fund are exempt from the provisions of section~~
31 ~~35-190 relating to lapsing of appropriations.~~

32 ~~D. Notwithstanding section 28-1554, the civil penalties collected~~
33 ~~pursuant to subsection B of this section shall be deposited as follows:~~

34 ~~1. Two hundred fifty dollars in the law enforcement alternative fuel~~
35 ~~vehicle fund.~~

36 ~~2. D. NOTWITHSTANDING SECTION 28-1554, one hundred dollars OF EACH~~
37 ~~CIVIL PENALTY COLLECTED PURSUANT TO SUBSECTION C OF THIS SECTION SHALL BE~~
38 ~~DEPOSITED in the Arizona clean air fund established by section 41-1516 to~~
39 ~~provide grants to a regional planning agency in a county with a population~~
40 ~~of more than one million two hundred thousand persons for conversion of~~
41 ~~diesel fleets in the county to use alternative fuels or for acquisition of~~
42 ~~alternative fuel vehicles to replace diesel fleets in the county.~~

43 Sec. 5. Section 28-6991, Arizona Revised Statutes, is amended to read:

44 28-6991. State highway fund; sources

45 A state highway fund is established that consists of:

1 1. Monies distributed from the Arizona highway user revenue fund
2 pursuant to chapter 18 of this title.

3 2. Monies appropriated by the legislature.

4 3. Monies received from donations for the construction, improvement
5 or maintenance of state highways or bridges. These monies shall be credited
6 to a special account and shall be spent only for the purpose indicated by the
7 donor.

8 4. Monies received from counties under cooperative agreements,
9 including proceeds from bond issues. The state treasurer shall deposit these
10 monies to the credit of the fund in a special account on delivery to the
11 treasurer of a concise written agreement between the department and the
12 county stating the purposes for which the monies are surrendered by the
13 county, and these monies shall be spent only as stated in the agreement.

14 5. Monies received from the United States under an act of Congress to
15 provide aid for the construction of rural post roads, but monies received on
16 projects for which the monies necessary to be provided by this state are
17 wholly derived from sources mentioned in paragraphs 2 and 3 of this section
18 shall be allotted by the department and deposited by the state treasurer in
19 the special account within the fund established for each project. On
20 completion of the project, on the satisfaction and discharge in full of all
21 obligations of any kind created and on request of the department, the
22 treasurer shall transfer the unexpended balance in the special account for
23 the project into the state highway fund, and the unexpended balance and any
24 further federal aid thereafter received on account of the project may be
25 spent under the general provisions of this title.

26 6. Monies in the custody of an officer or agent of this state from any
27 source that is to be used for the construction, improvement or maintenance
28 of state highways or bridges.

29 7. Monies deposited in the state general fund and arising from the
30 disposal of state personal property belonging to the department.

31 8. Receipts from the sale or disposal of any or all other property
32 held by the department and purchased with state highway monies.

33 9. Monies generated pursuant to section 28-410.

34 10. Monies distributed pursuant to section 28-5808, subsection A,
35 paragraph 2, subdivision (d) and subsection B, paragraph 2, subdivision (d).

36 11. Monies deposited pursuant to sections 28-1143, 28-2010, 28-2353 and
37 28-3003.

38 12. Except as provided in section 28-5101, the following monies:

39 (a) Monies deposited pursuant to section 28-2206 and section 28-5808,
40 subsection A, paragraph 2, subdivision (e) and subsection B, paragraph 2,
41 subdivision (e).

42 (b) One dollar of each registration fee and one dollar of each title
43 fee collected pursuant to section 28-2003.

44 (c) Two dollars of each late registration penalty collected by the
45 director pursuant to section 28-2162.

(d) The air quality compliance fee collected pursuant to section 49-542.

(e) The special plate administration fees collected pursuant to sections 28-2404, 28-2412 through 28-2417 and 28-2514.

(f) The windshield sticker fee collected pursuant to section 28-2355.

(g) Monies collected pursuant to sections 28-372, 28-2155 and 28-2156 if the director is the registering officer.

13. Monies deposited pursuant to chapter 5, article 5 of this title.

14. Donations received pursuant to section 28-2269.

15. Dealer and registration monies collected pursuant to section 28-4304.

16. Abandoned vehicle administration monies deposited pursuant to section 28-4804.

17. MONIES DEPOSITED PURSUANT TO SECTION 28-710, SUBSECTION D, PARAGRAPH 2.

Sec. 6. Section 28-6993, Arizona Revised Statutes, is amended to read: 28-6993. State highway fund; authorized uses

A. Except as provided in subsection B of this section and section 28-6538, the state highway fund shall be used for any of the following purposes in strict conformity with and subject to the budget as provided by this section and by sections 28-6997 through 28-7003:

1. To pay salaries, wages, necessary travel expenses and other expenses of officers and employees of the department and the incidental office expenses, including telegraph, telephone, postal and express charges and printing, stationery and advertising expenses.

2. To pay for both:

(a) Equipment, supplies, machines, tools, department offices and laboratories established by the department.

(b) The construction and repair of buildings or yards of the department.

3. To pay the cost of both:

(a) Engineering, construction, improvement and maintenance of state highways and parts of highways forming state routes.

(b) Highways under cooperative agreements with the United States that are entered into pursuant to this chapter and an act of Congress providing for the construction of rural post roads.

4. To pay land damages incurred by reason of establishing, opening, altering, relocating, widening or abandoning portions of a state route or state highway.

5. To reimburse the department revolving account.

6. To pay premiums on authorized indemnity bonds and on compensation insurance under the workers' compensation act.

7. To defray lawful expenses and costs required to administer and carry out the intent, purposes and provisions of this title, including repayment of obligations entered into pursuant to this title, payment of

1 interest on obligations entered into pursuant to this title, repayment of
2 loans and other financial assistance, including repayment of advances and
3 interest on advances made to the department pursuant to section 28-7677, and
4 payment of all other obligations and expenses of the board and department
5 pursuant to chapter 21 of this title.

6 8. To pay lawful bills and charges incurred by the state engineer.

7 9. To acquire, construct or improve entry roads to state parks or
8 roads within state parks.

9 10. To acquire, construct or improve entry roads to state prisons.

10 11. To pay the cost of relocating a utility facility pursuant to
11 section 28-7156.

12 12. For the purposes provided in subsections C, D and E of this section
13 and sections 28-1143, 28-2010, 28-2353 and 28-3003.

14 B. For each fiscal year, the department of transportation shall
15 allocate and transfer monies in the state highway fund to the department of
16 public safety for funding a portion of highway patrol costs in eight
17 installments in each of the first eight months of a fiscal year that do not
18 exceed ten million dollars.

19 C. Subject to legislative appropriation, the department may use the
20 monies in the state highway fund as prescribed in section 28-6991, paragraph
21 12 to carry out the duties imposed by this title for registration or titling
22 of vehicles, to operate joint title, registration and driver licensing
23 offices, to cover the administrative costs of issuing the air quality
24 compliance sticker, modifying the year validating tab and issuing the
25 windshield sticker and to cover expenses and costs in issuing special plates
26 pursuant to sections 28-2404, 28-2412 through 28-2417 and 28-2514.

27 D. The department shall use monies deposited in the state highway fund
28 pursuant to chapter 5, article 5 of this title only as prescribed by that
29 article.

30 E. Monies deposited in the state highway fund pursuant to section
31 28-2269 shall be used only as prescribed by that section.

32 F. MONIES DEPOSITED IN THE STATE HIGHWAY FUND PURSUANT TO SECTION
33 28-710, SUBSECTION D, PARAGRAPH 2 SHALL ONLY BE USED FOR STATE HIGHWAY WORK
34 ZONE TRAFFIC CONTROL DEVICES.

35 F. G. The department may exchange monies distributed to the state
36 highway fund pursuant to section 28-6538, subsection A, paragraph 1 for local
37 government surface transportation program federal monies suballocated to
38 councils of government and metropolitan planning organizations if the local
39 government scheduled to receive the federal monies concurs. An exchange of
40 state highway fund monies pursuant to this subsection shall be in an amount
41 that is at least equal to ninety per cent of the federal obligation authority
42 that exists in the project for which the exchange is proposed.

~~APPROVED BY THE GOVERNOR MAY 4, 2001.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 4, 2001.~~

Passed the House March 19, 2001,

Passed the Senate April 11, 2001,

by the following vote: 41 Ayes,
15 Nays, 4 Not Voting

by the following vote: 30 Ayes,
0 Nays, 0 Not Voting

Jake Flake
Speaker of the House
Pro Tempore
Norman L. Moore
Chief Clerk of the House

Robert Anderson
President of the Senate
Charmine Bellington
Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR~~

~~This Bill was received by the Governor this
_____ day of _____, 20____,
at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of
_____, 20____,
at _____ o'clock _____ M.

Governor of Arizona~~

H.B. 2370

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State
this _____ day of _____, 20____,
at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House April 25, 2001,

by the following vote: 44 Ayes,

6 Nays, 10 Not Voting

Jake Flake
Speaker of the House
Pro Tempore
Norman L. Fyore
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate April 26, 2001,

by the following vote: 28 Ayes,

1 Nays, 1 Not Voting

Ronald S. Burman
President of the Senate
Charmine B. Winters
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 30 day of April, 2001,

at 11:09 o'clock A M.

Dandra Gandy
Secretary to the Governor

Approved this 4th day of

May, 2001,

at 10:26 o'clock A M.

Janet Napolitano
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 4 day of May, 2001,

at 4:34 o'clock P M.

Britney Bayless
Secretary of State

H.B. 2370